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8 NICHOLAS KENNETH TRAMMELL,
9 Petitioner,
10 v.
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12 STATE OF CALIFORNIA,
13 Respondent.
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16 Case No. 21-00520-EJD (PR)
17
ORDER OF TRANSFER
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19 Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas
20 corpus under 28 U.S.C. § 2254, challenging his state conviction out of Stanislaus County.
21 Dkt. No. 1. Venue for a habeas action is proper in either the district of confinement or the
22 district of conviction, 28 U.S.C. § 2241(d). Federal courts in California traditionally have
23 chosen to hear petitions challenging a conviction or sentence in the district of conviction or
24 sentencing. See Habeas L.R. 2254-3(b)(1); Dannenberg v. Ingle, 831 F. Supp. 767, 768
25 (N.D. Cal. 1993); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Here,
26 Petitioner is currently confined at the California Institution for Men in Chino, San
27 Bernardino County, but his conviction was out of Stanislaus County. Dkt. 1 at 2.
28 Stanislaus County lies within the venue of the Eastern District of California. See 28
U.S.C. § 84(b). Therefore, venue properly lies in that district and not in this one. See 28

1 U.S.C. § 1391(b). Accordingly, this case is TRANSFERRED to the United States District
2 Court for the Eastern District of California. See 28 U.S.C. § 1406(a).

3 The Clerk shall terminate all pending motions and transfer the entire file to the
4 Eastern District of California.

5 **IT IS SO ORDERED.**

6 **Dated:** 1/27/2021



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EDWARD J. DAVILA
United States District Judge

United States District Court
Northern District of California